

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

Houston Division

Kamme O

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

TEXAS A&M UNIVERSITY and SYSTEM

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No. _____

(to be filled in by the Clerk's Office)

Jury Trial: *(check one)* ☒ Yes ☐ No

COMPLAINT FOR EMPLOYMENT DISCRIMINATION

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Kamme O
Street Address	3503 Winding Road
City and County	Hearne, ROBERTSON
State and Zip Code	Texas 77859
Telephone Number	979-575-1091
E-mail Address	AggieCarpenterMom@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title *(if known)*. Attach additional pages if needed.

Defendant No. 1

Name	TEXAS A&M UNIVERSITY & SYSTEM - Joni E. Baker
Job or Title <i>(if known)</i>	Director, Equal Opportunity & Diversity
Street Address	301 Tarrow St., John B. Connally Bldg., Room 605A
City and County	College Station, BRAZOS
State and Zip Code	Texas 77840
Telephone Number	979-458-6203
E-mail Address <i>(if known)</i>	JBaker@tamus.edu

Defendant No. 2

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 3

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 4

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

C. Place of Employment

The address at which I sought employment or was employed by the defendant(s) is

Name	TEXAS A&M UNIVERSITY - Environmental Health & Safety
Street Address	1111 Research Parkway MS 4472
City and County	College Station, BRAZOS
State and Zip Code	Texas 77843-4472
Telephone Number	979-845-2132

II. Basis for Jurisdiction

This action is brought for discrimination in employment pursuant to *(check all that apply)*:

- ☒ Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race, color, gender, religion, national origin).

(Note: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)

- ☒ Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 to 634.

(Note: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.)

- ☐ Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 to 12117.

(Note: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)

- ☒ Other federal law *(specify the federal law)*:

Texas Penal Code "Tampering with Governmental Records" PENAL-SECT-37-10.html

- ☒ Relevant state law *(specify, if known)*:

TEXAS A&M SYSTEM REGULATIONS 08.01.01 and 33.99.01

- ☐ Relevant city or county law *(specify, if known)*:

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. The discriminatory conduct of which I complain in this action includes *(check all that apply)*:

- ☐ Failure to hire me.
- ☒ Termination of my employment.
- ☒ Failure to promote me.
- ☐ Failure to accommodate my disability.
- ☒ Unequal terms and conditions of my employment.
- ☒ Retaliation.
- ☒ Other acts *(specify)*: Failed to follow TAMUS Regulations & Policies.

(Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.)

B. It is my best recollection that the alleged discriminatory acts occurred on date(s)

01-29-2016, 12-04-2015, 11-20-2015, 11-13-2015, 11-10-2015, 10-20-2015, 07-31-2015, 07-17-2015, 06-30-2015, 05-12-2015, 05-01-2015, 04-21-2015, 02-10-2014 thru 10-17-2014, 10-20-2014, 10-15-2014, 10-31-2014, 10-01-2014, 09-29-2014, 09-26-2014, 09-24-2014, 09-23-2014, 09-19-2014, 09-11-2014, 09-08-2014, 08-28-2014, 08-27-2014, 05-29-2014, 03-27-2014, 02-13-2014, 02-11-2014, 02-10-2014, 02-07-2014, 02-06-2014, 02-05-2014, 02-03-2014, 01-30-2014, 01-22-2014, 10-31-2013, **_**-2013, **_**-2010, 07-**-2007, 02-27-1996, *there are 23+ years wr

C. I believe that defendant(s) *(check one)*:

- ☐ is/are still committing these acts against me.
- ☒ is/are not still committing these acts against me.

D. Defendant(s) discriminated against me based on my *(check all that apply and explain)*:

- ☐ race
- ☒ color

"Redhead" - 1994 TAMU PTTS:
"Your hair is too long, too red &
too curly to be professional! If I
could MAKE YOU CUT your
F***king HAIR, I WOULD!"

- ☒ gender/sex 1999-2015 James Rainer mentored & promoted younger male employees, while TAMU EHS condoned and rewarded his behavior numerous instances for over a decade.
02-27-1996 TAMU CCI evaluation: "Being female she is a distraction to the male workers" (HR said the evaluation was lost, asked me to sign a new one - I had a copy of the original.)
- ☒ religion NDE 12-18-1990, B.P. 19/11
Same month FLAIR magazine interview = Not promoted with 11 years experience VS zero ResLife inspection experience male.
- ☐ national origin
- ☒ age (year of birth) 1966 (only when asserting a claim of age discrimination.)
- ☐ disability or perceived disability (specify disability)
-

E. The facts of my case are as follows. Attach additional pages if needed.

see attached EEOC 31C-2015-01426

(Note: As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, or the charge filed with the relevant state or city human rights division.)

IV. Exhaustion of Federal Administrative Remedies

A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding the defendant's alleged discriminatory conduct on (date)

06-17-2015 *also 03-16/22-2000 to EEOC about TAMU, EEOC replied 03-21-2000.

B. The Equal Employment Opportunity Commission (check one):

☐ has not issued a Notice of Right to Sue letter.

☒ issued a Notice of Right to Sue letter, which I received on (date) 09-28-2017 .
(Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.)

C. Only litigants alleging age discrimination must answer this question.

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding the defendant's alleged discriminatory conduct (check one):

- ☒ 60 days or more have elapsed.
☐ less than 60 days have elapsed.

V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

1.) Outsource Texas A&M University Human Resources and Policy & Practice Review instead of Physical Plant maintenance employees. (Sharp gave away so much general knowledge about campus buildings when the working class was outsourced 2012 = No one around long enough to hold anyone accountable now.) Buildings are not being maintained properly. Roof door to exterior of the Academic Building has been missing since at least as long as my inspection 2013, per SFM 2017 inspection.

2.) TAMU & TAMUS adhere to the Regulations, Policy and Codes = Have OSHA inspect TAMU and EEOC ought to be able to enforce the discrimination laws.

3.) As a direct and proximate result of Defendants' actions, Kamme O suffered and continues to suffer loss of comparable employment, loss of past and future income, loss of past and future employment benefits, loss of future earning capacity, and suffered and continues to suffer emotional distress, humiliation, embarrassment, loss of opportunities for career advancement, damage to reputation and overall health.

4.) Kamme O would further show that the acts and omissions of Defendants complained of herein were committed with malice or reckless indifference to the protected rights of Kamme O. In order to punish Defendants for engaging in unlawful discrimination and retaliation and to deter such actions and/or omissions in the future, Kamme O also seeks recovery from Defendants for exemplary damages.

5.) Plaintiff seeks monetary relief against Defendant. If TAMU can afford \$10million to the Football Coach, it can afford \$33million for the decades of assorted discriminations and excessive bullying that Kamme O was subjected to over and over and over again.

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 12/12/2017

Signature of Plaintiff

Printed Name of Plaintiff Kamme O AggieCarpenterMom@gmail.com 979-575-1091

B. For Attorneys

Date of signing: 12/12/2017

Signature of Attorney Pro Se

Printed Name of Attorney _____

Bar Number _____

Name of Law Firm _____

Street Address _____

State and Zip Code _____

Telephone Number _____

E-mail Address _____

...complaint, interview witnesses, if applicable, and provide a report on the merits of the complaint to the designated administrator within 15 business days of receipt of the complaint, unless unusual circumstances require more time. Extensions should not be for more than 15 additional business days. Any further extensions require the approval of the CEO or designee. The designated administrator will render a decision in writing and provide that decision to the complainant, respondent(s) the investigation...

- ☐ **04-26-2015 Email Complaint to Sheri Yetter =Response: 07-31-2015, “No Valid Evidence” – Convenient since GOVT CODE withholds documents when the investigation is found “not valid”.)**
- ☐ **05-08-2015 Complaint FORM #903, that goes with 04-26-2015 email to Sheri Yetter TAMU**
- ☐ **05-14-2015 Complaint – Evaluation Retaliation**
- ☐ **05-20-2015 Complaint – Title Change, NO NOTICE. Not qualified, not trained.**
- ☐ **06-18-2015 Complaint Submitted to TWC/EEOC,**
- ☐ **07-07-2015 Complaint – Inspection Load Increase**
- ☐ **07-23-2015 Complaint – About 7/17 meeting - Vacation Restricted without warning.**
- ☐ **08-10-2015 Complaint – July Review Meeting – “saying SNOOPING is unprofessional”**
- ☐ **08-18-2015 Complaint – What Gender is a Key?**
- ☐ **10-20-2015 Complaint – Performance Plan Vague**
- ☐ **10-22-2015 Complaint – Why Are You Talking to Her?**
- ☐ **11-10-2015 Complaint – Vacation Retaliation – Eye-Washes PAST DUE**
- ☐ **12-01-2015 Complaint – I DARE YOU. (November 20, 2015 meeting)**

<https://drive.google.com/file/d/0B-CwKxn6MlrOOFhSNVJyaW1fYWc/view?usp=sharing>

- ☐ **12-04-2015 Email Appeal to Strawser.**
- ☐ **12-07-2015 Complaint – “Ahead or Behind”**
- ☐ **12-17-2015 Submit Response to Don Cumby about the “GRRR” question.**
- ☐ **02-08-2016 Complaint - Retaliation Termination**

- ☐ **KammeO worked for JAMES RAINER 09-27-1999 to 04-31-2015.**
- ☐ **KammeO had the same desk, same location 09-27-1999 to 05-01-2015.**
- ☐ TAMU avoids mentioning JAMES RAINER was her direct supervisor again, after Richard Fegan vacated: 02-10-2014 until 10-17-2014.
- ☐ TAMU makes no mention of the SUSPENSION OF VACATION without warning July – November 2015.
- ☐ TAMU refused mediation July 2015.
- ☐ TAMU removed the SUSPENSION of Kamme O's Vacation 3 days after the Eye-Wash Shower Complaint to HR. (No letter from Strawser as to the outcome of that complaint.)
- ☐ 9 working days after 11-13-2015 "Progress" email, Kamme O was issued a Corrective Action document for "being behind on inspections".
- ☐ **NO TIME CLOCK at EHS.**
- ☐ **All payroll time is entered ONLINE and APPROVED by the Supervisors = ON TIME.**
- ☐ TAMU falsely represents the contents of the 11-20-2015 AUDIO, (listened to before the termination.)
- ☐ No meeting between Kamme O and JAMES RAINER about the discrimination Kamme O brought to the attention of TAMU 2007, 2010, 2013, 2014 & 2015.
- ☐ TAMU is who insists the "filing Workers Comp" was the issue for the Retaliation
- ☐ Kamme O did not request or accept FMLA.
- ☐ "CROSS TRAINING" – What is it? Is it a RELIGIOUS phrase? No training was scheduled for CROSS ____.
- ☐ Younger male mentored by James Rainer, signed inspections 12-13-2013 that show to have been demolished 2012 and then were assigned to Kamme O in 12-2014.
- ☐ MOST Employees of EHS are not notified of OPEN JOB POSITION POSTINGS.
- ☐ EHS Director, Assistant Director and 2 Supervisors walked in and shut the door to hand Kamme O the termination letter 01-29-2016. The same people that did nothing to protect her during the 11-20-2015 verbal assault.